

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA, STATE  
OF CALIFORNIA, STATE OF DELAWARE,  
DISTRICT OF COLUMBIA, STATE OF MAINE,  
COMMONWEALTH OF MASSACHUSETTS, and  
STATE OF NORTH CAROLINA,

Plaintiffs,

v.

**No. 2:20-cv-4096**

LOUIS DEJOY, *in his official capacity as United States  
Postmaster General*; ROBERT M. DUNCAN, *in his  
official capacity as Chairman of the Postal Service  
Board of Governors*; and the UNITED STATES  
POSTAL SERVICE,

Defendants.

**JOINT STATUS REPORT**

As discussed during the December 16, 2020 status conference, the parties in the above matter have engaged in discussions about a schedule to govern further proceedings in this matter. The parties respectfully propose the following schedule:

**By January 7, 2021**, the parties will serve any requests for written discovery.

**By January 28, 2021**, the parties will respond to any requests for written discovery.

**By February 18, 2021**, the parties will endeavor to produce all documents responsive to requests for the production of documents, consistent with any responses and objections and/or any agreement reached between the parties. If either party cannot in good faith comply with this deadline, the parties will endeavor to negotiate a modification of all remaining deadlines. If such a modification cannot be reached, either party may seek leave of Court to modify the remaining deadlines in the schedule.

**By March 5, 2021**, the parties will take any depositions.

**By March 19, 2021**, Plaintiffs will file a motion for summary judgment.

**By March 26, 2021**, any amicus brief in support of Plaintiffs' motion for summary judgment is due.

**By April 9, 2021**, Defendants will file a combined cross-motion for summary judgment and opposition to Plaintiffs' motion for summary judgment.

**By April 16, 2021**, any amicus brief in support of Defendants' cross-motion for summary judgment is due.

**By April 23, 2021**, Plaintiffs will file a combined reply in support of their motion for summary judgment and opposition to Defendants' cross-motion for summary judgment.

**By May 7, 2021**, Defendants will file a reply in support of their cross-motion for summary judgment.

Finally, at the December 3, 2020 status conference, the Court inquired into the status and adequacy of Defendants' current reporting obligations in other lawsuits. Defendants are currently providing Plaintiffs and the Court with copies of the weekly reports filed in *Jones v. USPS*, No. 20-6516 (S.D.N.Y.), which covers service performance at the national, area, and district level. Defendants also are providing Plaintiffs with original Excel files for the daily reporting data ordered by the court in *Vote Forward v. DeJoy*, No. 20-2405 (D.D.C.), *NAACP v. USPS*, No. 20-2295 (D.D.C.), and *Richardson v. Trump*, No. 20-2262 (D.D.C.), which includes the number of late and extra trips used each day.

At this time, the reporting obligations in D.D.C. and S.D.N.Y. provide sufficient data about both service performance and the number of late and extra trips used by Defendants. Should the courts in *Jones*, *Vote Forward*, *NAACP*, or *Richardson* modify or terminate the

reporting requirements, Plaintiffs would request that Defendants continue to provide Plaintiffs with (a) weekly updates about service performance at the national, area, and district level and (b) weekly updates about the number of late and extra trips used each day. Defendants are open to conferring with Plaintiffs about this issue, if and when the courts in *Jones*, *Vote Forward*, *NAACP*, and/or *Richardson* modify or terminate these data reporting obligations. Defendants note, however, that Plaintiffs should have to justify their need for continued data reporting even when another Court has found that these data reports are no longer necessary, or no longer serve a sufficiently compelling purpose to justify the time and expense required to produce them.

December 23, 2020

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